

**SUPREME COURT MINUTES  
WEDNESDAY, JUNE 17, 2009  
SAN FRANCISCO, CALIFORNIA**

**S140911**      H027693 Sixth Appellate District

**VARGAS (ANGELINA  
MORFIN) v. CITY OF  
SALINAS**

The request for judicial notice is denied.  
The petition for rehearing is denied.

**S156986**      B186238 Second Appellate District, Div. 8

**MILEIKOWSKY (GIL N.) v.  
WEST HILLS HOSPITAL  
MEDICAL CENTER**

Rehearing denied; opinion modified  
The opinion is modified.  
The petition for rehearing is denied.  
Kennard and Baxter, JJ., are of the opinion the petition should be granted.

**S168047/S168066/S168078**

**STRAUSS (KAREN L.) v.  
HORTON (MARK B.)/  
(HOLLINGSWORTH)**

Rehearing denied; opinion modified  
The request for judicial notice, filed by petitioners in S168047 on June 5, 2009, in support of a petition for rehearing requesting modification of the opinion, is granted.  
The opinion is modified by separate order.  
The petition for rehearing is denied.

**S156986**      B186238 Second Appellate District, Div. 8

**MILEIKOWSKY (GIL N.) v.  
WEST HILLS HOSPITAL  
MEDICAL CENTER**

Opinion modified - no change in judgment

**S168047/S168066/S168078**

**STRAUSS (KAREN L.) v.  
HORTON (MARK B.)/  
(HOLLINGSWORTH)**

Opinion modified - no change in judgment

**S171502**      B201375 Second Appellate District, Div. 3

Petition for review & publication request(s) denied

**PEOPLE v. MAESTAS  
(RAMON LUIS)**

**S171536**      F054785 Fifth Appellate District

Petition for review & depublication request(s) denied  
Werdegarr, J., was recused and did not participate.

**BUILDING INDUSTRY  
ASSOCIATION OF CENTRAL  
CALIFORNIA v. CITY OF  
PATTERSON**

**S171786**      F055075 Fifth Appellate District

Petition for review denied

**PEOPLE v. STANTON  
(SHAWNA LEA)**

**S171876**      E044301 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. RODRIGUEZ  
(ANDREW)**

**S171919**      H034013 Sixth Appellate District

Petition for review denied

**MCKINLEY (ISAAC) ON H.C.**

**S171946**      A124379 First Appellate District, Div. 3

Petition for review denied

**HART (BRAD) ON H.C.**

**S171956**      B205026 Second Appellate District, Div. 8

Petition for review denied  
The application to appear as counsel pro hac vice is granted.  
The petition for review is denied.  
Kennard and Werdegarr, JJ., are of the opinion the petition should be granted.

**BUDROW (AARON) v. DAVE  
& BUSTER'S OF  
CALIFORNIA, INC.**

<b>S172100</b>	E045158 Fourth Appellate District, Div. 2	<b>PEOPLE v. MEANS (BILLY DEE)</b>
Petition for review denied		
Kennard and Werdegarr, JJ., are of the opinion the petition should be granted.		
<b>S172167</b>	E047929 Fourth Appellate District, Div. 2	<b>BARROS (MARK OLIVER) ON H.C.</b>
Petition for review denied		
<b>S172187</b>	C061382 Third Appellate District	<b>SANCHEZ, JR., (MANUEL GUADALUPE) ON H.C.</b>
Petition for review denied		
<b>S172192</b>	E045449 Fourth Appellate District, Div. 2	<b>PEOPLE v. LOVELESS (RACHEL LOUISE)</b>
Petition for review denied		
<b>S172197</b>	B202057 Second Appellate District, Div. 6	<b>PEOPLE v. MORRIS (WILLIAM)</b>
Petition for review denied		
<b>S172209</b>	C057763 Third Appellate District	<b>C.D., IN RE</b>
Petition for review denied		
<b>S172217</b>	C061402 Third Appellate District	<b>CLICK (WINDY LYNN) ON H.C.</b>
Petition for review denied		
<b>S172221</b>	B199210 Second Appellate District, Div. 5	<b>PEOPLE v. PREVEDELLO (CHRISTOPHER)</b>
Petition for review denied		

**S172223** B203317 Second Appellate District, Div. 1

**FRANCO (EDIXON) v.  
ATHENS DISPOSAL  
COMPANY, INC.**

Petition for review denied

**S172243** B204003 Second Appellate District, Div. 4

**BRESCIA (WILLIAM) v.  
ANGELIN (KEITH)**

Petition for review denied

**S172249**

**DETRICK (HERBERT  
HOWARD) v. COMMITTEE  
OF BAR EXAMINERS**

Petition for writ of mandate/prohibition denied

The "Ex Parte Application for Order Licensing Herbert Howard Detrick II to Practice Law as an Attorney of Record and Counselor-At-Law in All Courts of Record" filed April 13, 2009, is denied.

**S172269** H033273 Sixth Appellate District

**PEOPLE v. ARTEAGA  
(LORENZO)**

Petition for review denied

**S172275** E045748 Fourth Appellate District, Div. 2

**B.S., IN RE**

Petition for review denied

**S172286** B214721 Second Appellate District, Div. 5

**JOYNER (ALFONSO A.) ON  
H.C.**

Petition for review denied

**S172336** H032880 Sixth Appellate District

**J.H., IN RE**

Petition for review denied

**S172343** H033615 Sixth Appellate District

**J.H. ON H.C.**

Petition for review denied

**S172363**

Petition for writ of mandate/prohibition denied

**KEMPTON (KIMBERLY) v.  
COURT OF APPEAL,  
SECOND APPELLATE  
DISTRICT (PRUDENTIAL  
CALIFORNIA REALTY –  
JOHN ARROE DIVISION)****S172378** B200452 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. JOHNSON  
(JASON)****S172380** B200859 Second Appellate District, Div. 1

Petition for review denied

**PINCAY, JR., (LAFFIT) v.  
HUNTINGTON AMBULANCE****S172387** B204589 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. TAFOYA (JUAN)****S172409** E045983 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. THOMAS (MARK  
WILLIAM)****S172410** F053247 Fifth Appellate District

Petition for review denied

**PEOPLE v. MILLER  
(EMANUEL ANTHONY)****S172414** B205765 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. NAZARIAN  
(VAHAN)****S172429** E043344 Fourth Appellate District, Div. 2

Petition for review denied

**CORDOVA (RANDALL) v.  
BNSF RAILWAY COMPANY**

**S172436** E045687 Fourth Appellate District, Div. 2  
Petition for review denied

**PEOPLE v. TUCKER  
(THOMAS WILLIAM)**

**S172439** B197577 Second Appellate District, Div. 1  
Petition for review denied

**PEOPLE v. KHAYATIAN  
(MOHAMMAD A.)**

**S172449** B202533 Second Appellate District, Div. 6  
Petition for review denied

**PEOPLE v. COLLINS  
(MICHAEL ROBERT)**

**S172457** B206514 Second Appellate District, Div. 8  
Petition for review denied

**PEOPLE v. BLAIR (PERRY)**

**S172495** F053480 Fifth Appellate District  
Petition for review denied

**PEOPLE v. GRACIA  
(ROBERT MEJIA)**

**S172502** C058077 Third Appellate District  
Petition for review denied

**PEOPLE v. HODGE, JR.,  
(THURMAN)**

**S172505** C061389 Third Appellate District  
Petition for review denied

**KEEL (KENNETH G.) ON  
H.C.**

**S172513** B198713 Second Appellate District, Div. 3  
Petition for review denied

**PEOPLE v. DE LA VEGA  
(CHRISTIAN DAVID)**

**S172555** A124453 First Appellate District, Div. 3  
Petition for review denied

**OLIVER (IVAN G.) ON H.C.**

**S172657** B210813 Second Appellate District, Div. 7

Petition for review denied  
The motion to consolidate is denied  
The petition for review is denied.

**LOS ANGELES, COUNTY OF  
v. WORKERS'  
COMPENSATION APPEALS  
BOARD/(LECORNU)**

**S172694** B202029 Second Appellate District, Div. 5

Petition for review denied

**LIMA (FRANK) v. CITY OF  
LOS ANGELES**

**S172721** C058040 Third Appellate District

Petition for review denied

**PEOPLE v. SAUERMILCH  
(MICHAEL EDWARD)**

**S172739** C057542 Third Appellate District

Petition for review denied

**TAXPAYERS FOR  
IMPROVING PUBLIC  
SAFETY v.  
SCHWARZENEGGER  
(ARNOLD)**

**S172749** C058361 Third Appellate District

Petition for review denied

**PEOPLE v. DAVIS (MELVIN  
HUEY)**

**S172761** B205005 Second Appellate District, Div. 3

Petition for review denied  
Kennard and Werdegar, JJ., are of the opinion the petition should be granted.

**ETHERIDGE (BRAD) v.  
REINS INTERNATIONAL  
CALIFORNIA, INC.**

**S172762** E044051 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. TEAGUE  
(QUINCY)**

**S172775** C061589 Third Appellate District

Petition for review denied

**EL DORADO COUNTY  
SUPERINTENDENT OF  
SCHOOLS v. S.C.  
(CALIFORNIA PUBLIC  
EMPLOYEES RETIRMENT  
SYSTEM)**

**S172790** A124708 First Appellate District, Div. 3

Petition for review denied

**TOBIAS (ROBIN) v. S.C.  
(CALIFORNIA PHYSICIAN'S  
SERVICE)**

**S172799** A120272 First Appellate District, Div. 3

Petition for review denied  
Werdegarr, J., was recused and did not participate.

**MORF (GEORGE) v.  
MERIDIAN COMMERCIAL**

**S172810** E047959 Fourth Appellate District, Div. 2  
Petition for review denied

**B.F., IN RE**

**S172814** A119200 First Appellate District, Div. 1  
Petition for review denied

**E.A., IN RE**

**S172818** A119099 First Appellate District, Div. 1  
Petition for review denied

**D.V., IN RE**

**S172824** A118362 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. DRIVER  
(ANTHONY)**

**S172829** D052986 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. WILSON (LARRY  
EUGENE)**

**S172834**      A120312 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. EDISON  
(RICHARD ARNOLD)**

**S172838**      E045996 Fourth Appellate District, Div. 2

Petition for review denied

**B.C., IN RE**

**S172843**      G039466 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. GARIBAY  
(GILBERTO)**

**S172845**      A122072 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ESTOURNES  
(ROGER PIERRE)**

**S172848**      E045606 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. FREEMAN (CURT  
LEROY)**

**S172849**      F057309 Fifth Appellate District

Petition for review & application for stay denied

**SCOMA (PHILIP JOSEPH) v.  
S.C. (PEOPLE)**

**S172859**      B204545 Second Appellate District, Div. 2

Petition for review denied

**HORWITZ (DAVID M.) v.  
CITY OF LOS ANGELES/  
(BEGLARI)**

**S172860**      B201357 Second Appellate District, Div. 7

Petition for review denied

**BRADLEY (JAMES  
CHRISTOPHER) v. GILBERT  
(AMELIA)**

**S172865** C057482 Third Appellate District

Petition for review denied

**PEOPLE v. WEINSTEIN  
(JAMES BURTON)**

**S172872** E048127 Fourth Appellate District, Div. 2

Petition for review denied

**FRY (GLENDA) v.  
WORKERS'  
COMPENSATION APPEALS  
BOARD/(RALPHS GROCERY  
CO.)**

**S172873** E048146 Fourth Appellate District, Div. 2

Petition for review denied

**BAYRAMOGLU (FIKRI) ON  
H.C.**

**S172885** A121700 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. TURNER (BRIAN  
EARL)**

**S172886** E045268 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GATEWOOD  
(MARTHA)**

**S172887** G040299 Fourth Appellate District, Div. 3

Petition for review denied

**ROULAND (LARS) v.  
PACIFIC SPECIALTY  
INSURANCE COMPANY**

**S172888** C058313 Third Appellate District

Petition for review denied

**PEOPLE v. RUCKER  
(DONALD)**

**S172895** E044337 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. TOBIAS (ALEX)**

**S172900**      B206367 Second Appellate District, Div. 7  
Petition for review denied

**PEOPLE v. MCINTOSH  
(WESLEY DARRYL)**

**S172902**      C055587 Third Appellate District  
Petition for review denied

**PEOPLE v. MONT  
(NICHOLAS)**

**S172914**      C057142 Third Appellate District  
Petition for review denied

**PEOPLE v. LAGUNA, JR.,  
(DAVID)**

**S172919**      C057404 Third Appellate District  
Petition for review denied

**PEOPLE v. ABRANSKI  
(DAVID FRANK)**

**S172922**      B209601 Second Appellate District, Div. 6  
Petition for review denied

**PEOPLE v. ZICHKO  
(ROBERT JOHN)**

**S172923**      B211498 Second Appellate District, Div. 3  
Petition for review denied

**PEOPLE v. GONZALEZ  
(MANUEL ANTONIO)**

**S172935**      E045404 Fourth Appellate District, Div. 2  
Petition for review denied

**PEOPLE v. WARWICK  
(CHRISTOPHER DWAYNE)**

**S172939**      B205287 Second Appellate District, Div. 5  
Petition for review denied

**PEOPLE v. AVELAR  
(MARYLIN)**

**S172943**      B205324 Second Appellate District, Div. 4  
Petition for review denied

**PEOPLE v. BURNS (SAMUEL  
ALEXANDER)**

**S172945**      B208814 Second Appellate District, Div. 4  
Petition for review denied

**PEOPLE v. VALDEZ (EMMA  
BERNADETTE)**

**S172948**      B206545 Second Appellate District, Div. 5  
Petition for review denied

**PEOPLE v. MCKINLEY  
(ROY)**

**S172954**      D053347 Fourth Appellate District, Div. 1  
Petition for review denied

**COZZI (JEANETTE) v.  
MCCAIN, INC.**

**S172955**      C058809 Third Appellate District  
Petition for review denied

**PEOPLE v. ROCHESTER  
(CORY MICHAEL)**

**S172962**      A119147 First Appellate District, Div. 1  
Petition for review denied

**J.O., IN RE**

**S172967**      C058247 Third Appellate District  
Petition for review denied

**PEOPLE v.  
ZAKHARCHENKO (VADIM)**

**S172973**      E043523 Fourth Appellate District, Div. 2  
Petition for review denied

**PEOPLE v. BAUER  
(WARREN L.)**

**S172974**      B206544 Second Appellate District, Div. 4  
Petition for review denied

**PEOPLE v. GUTIERREZ  
(RAMON)**

**S172979**      F055043 Fifth Appellate District  
Petition for review denied

**PEOPLE v. JONES (STANLEY  
JAMES)**

**S172986** H032708 Sixth Appellate District

Petition for review denied

**PEOPLE v. SHYSHKA  
(TREVAR)**

**S172989** A121721 First Appellate District, Div. 5

Petition for review denied

**J.R., IN RE**

**S172996** B215648 Second Appellate District, Div. 5

Petition for review denied

**ORTEGA (JESSICA) v. S.C.  
(PEOPLE)**

**S173013** B215785 Second Appellate District, Div. 7

Petition for review denied

**GARDIN (BRENDA WILSON)  
v. S.C. (HEMPHILL)**

**S173105** B215498 Second Appellate District, Div. 6

Petition for review & application for stay denied

**NANCE (RONALD DERRICK)  
ON H.C.**

**S173212** B206881/B207189/B208946  
Second Appellate District, Div. 3

Petition for review & application for stay denied  
The application to appear as counsel pro hac vice is granted.  
The application for stay and petition for review are denied.  
Chin and Corrigan, JJ., were recused and did not participate.

**PACIFIC GAS & ELECTRIC  
COMPANY v. ARIZONA  
ELECTRIC POWER  
COOPERATIVE, INC.**

**S173567** G042085 Fourth Appellate District, Div. 3

Petition for review & application for stay denied

**PUTMAN (PHILIP A.) v. S.C.  
(SCHROEDER)**

**S173748** B216539 Second Appellate District, Div. 1

**BROWN (CHRISTOPHER) v.  
S.C. (CITY OF LOS ANGELES  
POLICE DEPARTMENT)**

Petition for review & application for stay denied

**S093551**

**BURGENER (MICHAEL  
RAY) ON H.C.**

Petition for writ of habeas corpus denied

Petitioner's request for judicial notice is granted.

The petition for writ of habeas corpus, filed on December 11, 2000, is denied.

Each claim is denied on the merits.

In addition, Claims V, VI, VII, X, XI, XII, and XIV (to the extent it challenges shackling at the guilt phase trial) are denied as untimely. (*In re Robbins* (1998) 18 Cal.4th 770, 780-781; *In re Clark* (1993) 5 Cal.4th 750, 782-787, 797-798.)

To the extent they could have been, but were not, raised on direct appeal, Claims XII and XIV are procedurally barred. (*In re Harris* (1993) 5 Cal.4th 813, 825, fn. 3, 828-841; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

**S101970**

**BOYER (RICHARD  
DELMER) ON H.C.**

Petition for writ of habeas corpus denied

The petition for writ of habeas corpus, filed November 7, 2001, is denied.

All claims are denied on the merits, except Claim XII, which is denied without prejudice to petitioner renewing the claim at an appropriate time. (*People v. Lawley* (2002) 27 Cal.4th 102, 169, fn. 25.)

Claims II and IV, and Claims VII and VIII except insofar as they allege ineffective assistance of counsel, are barred by *In re Waltreus* (1965) 62 Cal.2d 218, at page 225.

**S168546**

**SMITH (FREE ODELL) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S168571**

**ANDERSON (WILLIAM) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S168587****JENKINS (SLEVEN LAMAR)  
ON H.C.**

Petition for writ of habeas corpus denied

**S168816****TAYLOR (KIRELL) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**S169137****HERNANDEZ (MAURO) ON  
H.C.**

Petition for writ of habeas corpus denied

**S169140****MARTIN (RONNIE S.) ON  
H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)**S169142****BALTIERRA (RONALD) ON  
H.C.**

Petition for writ of habeas corpus denied

**S169170****RIDGE, JR., (LARRY D.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S169173****LEWIS (VONDELL) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S169204****BELLO (ALEJANDRO) ON  
H.C.**

Petition for writ of habeas corpus denied

**S169224****SHEDD (HERBERT) ON H.C.**

Petition for writ of habeas corpus denied

**S169228****HERRERA (CARLOS) ON  
H.C.**

Petition for writ of habeas corpus denied

**S169229****NORWOOD (DONALD) ON  
H.C.**

Petition for writ of habeas corpus denied

**S169237****WILLIS (BRIAN THOMAS)  
ON H.C.**

Petition for writ of habeas corpus denied

**S169243****MARTINEZ (JAVIER) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**S169286****GATES (LEON STEVEN) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S169328****PEREZ (JAVIER TRUJILLO)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)

**S169329****MOSLEY (CHARLES) ON  
H.C.**

Petition for writ of habeas corpus denied

**S169339****KNOX (ED EMMANUEL) ON  
H.C.**

Petition for writ of habeas corpus denied

**S169405**

Petition for writ of habeas corpus denied

**SHAW (LEWIS D.) ON H.C.****S169421**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734; *In re Clark* (1993) 5 Cal.4th 750.)

**LANE (MICHAEL  
ANTHONY) ON H.C.****S169478**

Petition for writ of habeas corpus denied

**COCKRELL (RICHARD) ON  
H.C.****S169479**

Petition for writ of habeas corpus denied

**PEREZ (MICHAEL DAVID)  
ON H.C.****S169484**

Petition for writ of habeas corpus denied

**BENNETT (ROBERT) ON  
H.C.****S169510**

Petition for writ of habeas corpus denied

**BETANCOURT (GABRIEL)  
ON H.C.****S169517**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Lindley* (1947) 29 Cal.2d 709; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**SMITH (STANFORD) ON H.C.****S169519**

Petition for writ of habeas corpus denied

**WASHINGTON (REGGIE) ON  
H.C.**

**S169530****REYNOLDS (DEWAYNE) ON  
H.C.**

Petition for writ of habeas corpus denied

**S169555****LESTER (GERALD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**S169558****DIAZ (JORGE ARMANDO)  
ON H.C.**

Petition for writ of habeas corpus denied

**S169559****RUNQUIST (RICHARD G.)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734.)

**S169560****SPARKS (KEN) ON H.C.**

Petition for writ of habeas corpus denied

**S169649****ROBERSON (HARRY JAMES)  
ON H.C.**

Petition for writ of habeas corpus denied

**S169653****LARIMORE (CHESTER  
DREW) ON H.C.**

Petition for writ of habeas corpus denied

**S169656****PULE (FRANKIE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S169701****GARCIA (RAUL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S169710****WALLICK (RODNEY L.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)

**S169711****ANDREWS (MICHAEL) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S169785****VALDIVIA (MOSES) ON H.C.**

Petition for writ of habeas corpus denied

**S169873****BAZIK (VALOD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S169936****MARTIN (RONNIE S.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)

**S170555****POINTER (TERRILL DEON)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Reeves* (2005) 35 Cal.4th 765, 779-781.)

**S170581****GUZMAN (JAIME FRANCO)  
ON H.C.**

Petition for writ of habeas corpus denied

**S170583****MARTIN (RONNIE S.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S170609****MARTIN (RONNIE S.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**S170633****MARTIN (RONNIE S.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**S170756****LANCASTER (DAVID GENE)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

**S170858****MYRON (JAMES M.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

**S171202****LIGGINS (PHILLIP V.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S171453****WHEELER (RACHEAL) ON  
H.C.**

Petition for writ of habeas corpus denied

**S171635****MACHADO (DELFINO) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S171647****MOTLEY (EDWARD) ON  
H.C.**

Petition for writ of habeas corpus denied

**S172065****MARTIN (RONNIE S.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S172403****THOMPSON (CARNELL) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S172408****COLEMAN (DARREN KENT)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

**S172460****MARTIN (RONNIE S.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

**S172471****ALFORD (THOMAS T.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

**S172478****WILLIAMS (TEDDY S.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S172524****CHAPARRO (ALFRED) ON  
H.C.**

Petition for writ of habeas corpus denied

**S172553****NELSON (PATRICK OTIS)  
ON H.C.**

Petition for writ of habeas corpus denied

**S172825****OSIBAMOWO (HOWARD A.)  
ON H.C.**

Petition for writ of habeas corpus denied

**S173053****JENKINS, JR., (ROBERT  
LEE) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)**S173054****KAULICK (STEVEN JOSEPH)  
ON H.C.**

Petition for writ of habeas corpus denied

**S173083****PERRYMAN, JR., (ALBERT)  
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)**S173092****CAMPBELL (KEITH B.) ON  
H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S173104****CLARK (MOSES) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734.)**S173128****LEAUPEPE (JONATHAN) ON  
H.C.**

Petition for writ of habeas corpus denied

**S173157****BUCKLEY (LATOYA) ON  
H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S173182****DOBSHINSKY (ALLEN L. M.)  
ON H.C.**

Petition for writ of habeas corpus denied  
Corrigan, J., was recused and did not participate.

**S173223****FERRERA (CHRIS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

**S173247****MOORE (MICHAEL) ON H.C.**

Petition for writ of habeas corpus denied

**S172703**

H030494 Sixth Appellate District

**K.C. MULTIMEDIA, INC. v.  
BANK OF AMERICA  
TECHNOLOGY &  
OPERATIONS, INC.**

Depublication request denied (case closed)  
Chin, J., was recused and did not participate.

**S058019****PEOPLE v. CONTRERAS  
(GEORGE LOPEZ)**

Extension of time granted  
Good cause appearing, and based upon Supervising Deputy State Public Defender Denise Anton's representation that she anticipates filing the appellant's reply brief by May 2010, counsel's request for an extension of time in which to file that brief is granted to August 18, 2009. After that date, only five further extensions totaling about 270 additional days are contemplated.

**S114671****PEOPLE v. SCHULTZ  
(MICHAEL JOSEPH)**

Extension of time granted  
On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to August 17, 2009.

**S164272****INTERNATIONAL SOCIETY  
FOR KRISHNA  
CONSCIOUSNESS OF  
CALIFORNIA, INC. v. CITY  
OF LOS ANGELES**

Extension of time granted

On application of Appellants' International Society for Krishna Consciousness of California, Inc., and Emil Beca, and good cause appearing, it is ordered that the time to serve and file the Response to the Amicus Curiae Brief by the City and County of San Francisco et al., is extended to July 6, 2009.

**S166350**

D049331 Fourth Appellate District, Div. 1

**BRINKER RESTAURANT  
CORPORATION v. S.C.  
(HOHNBAUM)**

Extension of time granted

On application of real parties in interest and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to July 6, 2009.

**S170550**

B208923 Second Appellate District, Div. 8

**GALINDO (MOISES) v. S.C.  
(CITY OF LOS ANGELES  
POLICE DEPARTMENT)**

Extension of time granted

On application of appellant and good cause appearing it is ordered that the time to serve and file the reply brief on the merits is extended to July 17, 2009.

**S172806****JONES (SIMOND HUDSON)  
ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to June 19, 2009.

**S024046****PEOPLE v. O'MALLEY  
(JAMES FRANCIS)**

Record ordered unsealed

On the court's own motion, the clerk is directed to unseal and make part of the public record the following sealed materials:

1. Volume 26, pages 5773 through 6058 (Clerk's Transcript of Prospective Jury Questionnaire, Seated Jurors 1 through 11); also paginated as Volume 24, pages 6283 through 6568 (1st Aug. Clerk's Transcript of Prospective Jury Questionnaire, Seated Jurors 1 through 11);

2. Volume 27, pages 6059 through 6188 (Clerk's Transcript of Prospective Jury Questionnaire, Seated Juror #12, Alternates #1, 2, and 3, Alternate #4, changed to Alternate #3); also paginated as Volume 25, pages 6569 through 6698 (1st Aug. Clerk's Transcript of Prospective Jury Questionnaire, Seated Juror #12, Alternates #1, 2, and 3, Alternate #4, changed to Alternate #3).

The clerk is further directed to provide a copy of these documents to counsel for respondent. Respondent's Motion for Sealed Transcripts, filed April 10, 2009, is therefore denied as moot.

**S058157****PEOPLE v. PEARSON  
(MICHAEL NEVAIL)**

Record augmentation denied

Appellant's "Post-certification Application to Settle and Augment the Record on Appeal," filed April 21, 2009, is denied.

**S139789****HARRIS (MAURICE  
LYDELL) ON H.C.**

Order filed

The Application for Leave to File Sealed Exhibits in Support of Amended Petition for Writ of Habeas Corpus, filed on January 26, 2009, is granted in part and denied in part as follows.

The application to file Exhibits 142, 143, and 147-154 under seal is granted. As to these exhibits, the court makes the findings required by California Rules of Court, rule 2.550(d).

The application to file Exhibits 144-146 under seal is denied. Although petitioner has shown an overriding interest that warrants protection of their contents from public disclosure, sealing would not effectively protect any such overriding interest because their contents already have been disclosed in the amended petition. (Cal. Rules of Court, rule 2.550(d); see also *id.*, rule 8.160(g).) Because Exhibits 142, 143, and 147 through 154 are bound together with Exhibits 144 through 146 in Volume XVIII of Exhibits in Support of Amended Petition for Writ of Habeas Corpus, the Clerk cannot presently file them under seal. The Clerk is directed to return Volume XVIII (Exhibits 142-154) to counsel for petitioner, who may resubmit them for filing in compliance with the terms of this order. Any resubmitted exhibits must maintain the original pagination. References in the amended petition to any exhibits that petitioner does not resubmit by July 17, 2009, for filing in compliance with this order will be stricken from the petition on the court's own motion.

**S142694****WARD (CARMEN LEE) ON  
H.C.**

Order filed

Petitioner's Application for leave to file sealed exhibits in support of amended petition for writ of habeas corpus, filed on March 13, 2009, is granted in part. The application to file exhibits 147 and 148 under seal is granted. (Cal. Rules of Court, rule 8.160.) With respect to these exhibits,

the court makes the findings required by California Rules of Court, rules 2.550(d), (e) and 8.160(e).

The application to file under seal exhibits 144-146 and 149-154 is denied. As to these exhibits, sealing would not effectively protect any overriding privacy interest because their contents already have been disclosed in the petition. (Cal. Rules of Court, rule 2.550(d); see also id., rule 8.160(g).)

Because exhibits 147 and 148 are contained in the same bound volume as exhibits 144-146 and 149-153, the Clerk cannot presently file these exhibits under seal. The Clerk is directed to return volumes XI and XII (exhibits 144-154), received conditionally under seal, to counsel for petitioner, who may resubmit them for filing in the public record. Any resubmitted exhibits must maintain the original pagination. References in the petition to any exhibits that petitioner does not resubmit by July 17, 2009, for filing in compliance with this order will be stricken from the petition on the court's own motion.

**S172199**      A120228 First Appellate District, Div. 5

**GREENE (FORD) v. MARIN  
COUNTY FLOOD CONTROL  
& WATER CONSERVATION  
DISTRICT/(FLOOD  
MITIGATION LEAGUE OF  
ROSS VALLEY)**

Order filed

The order filed on June 12, 2009, extending the time to grant or deny review is hereby amended to reflect the title above.

**S172857**

Petition denied

(accusation)

**NORTON, ACCUSATION OF**

**S172875**

Petition denied

(accusation)

**CUNNINGHAM,  
ACCUSATION OF**

**S172941**

Petition denied

(accusation)

**WILLIAMS, ACCUSATION  
OF**

**S172960**

Petition denied

(accusation)

**MCMAHON, ACCUSATION  
OF**

**S172990**

Petition denied

(accusation)

**DOUGLAS, ACCUSATION OF**

**A125157**

First Appellate District

**COMMUNITY HOSPITAL OF  
THE MONTEREY  
PENINSULA v. WORKERS'  
COMPENSATION APPEALS  
BOARD & O'KEEFE  
(LORRAINE)**

The above-entitled matter, now pending in the Court of Appeal, First Appellate District, is transferred to the Court of Appeal, Sixth Appellate District.